

Appl. No. 10/673,061
Amdt. dated September 27, 2006
Reply to Office Action of June 28, 2006

PATENT

Amendments to the Drawings:

The attached 5 sheets of drawings include Figures 1-5A-D and replace the original sheets including Figures 1-5A-D. No substantive changes have been made to the Figures.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Claims 1-20 were pending in this application. Claims 9-12 have been withdrawn from consideration due to a restriction requirement. Claims 1, 5, 13, 14, and 18 have been amended. No claims have been added or canceled. Hence, claims 1-11 and 13-20 remain pending. Reconsideration of the subject application as amended is respectfully requested.

Claims 1-8 and 14 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 5 have the phrase "may take different processing paths" that renders the claims indefinite. Claim 14 recites the limitation "the tray ticket" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 1-8 and 13-20 stand rejected under 35 U.S.C. §102(e) as being anticipated by the cited portions of U.S. Patent Publication No. 2004/0049316 to Pintsov, *et al.* (hereinafter "Pintsov").

Claims 1, 5, 13, 14, and 18 have been amended to more particularly point out and distinctly claim the Applicant's claimed invention. The Applicants believe the amendments herein overcome the 35 U.S.C. §112, ¶2 rejection.

Claim Rejections Under 35 U.S.C. §102(e)

The Applicants respectfully traverse the rejection of all claims rejected under 35 U.S.C. §102(e), since the cited reference does not teach all the claim limitations, either expressly or inherently, as required for a proper rejection under 35 U.S.C. §102(e). Generally, Pintsov is directed to processing bulk mailings **from a common mailer not to a common recipient** as the Applicants claim (see ¶ [0008]). The mail items in the trays taught by Pintsov are addressed to different recipients (see ¶ [0027]), which is exactly opposite what the Applicants claim (see, e.g., claim 1, "wherein the mail items in a tray are addressed to a common recipient."). All pending claims include a limitations similar to this limitation of claim 1 and are therefore believed to be allowable, at least for this reason.

More specifically, however, all pending claims include additional limitations not taught or suggested by Pintsov. Claim 1, for example, includes the limitation "a plurality of mail

processing machines that are adapted to process the mail items through any of a plurality of distinct processing paths through the plurality of mail processing machines." This limitation is not taught or suggested by Pintsov. Pintsov teaches mail trays and mail palettes but teaches nothing relating to mail processing machines, much less mail processing machines that are "adapted to process the mail items through any of a plurality of distinct processing paths through the plurality of mail processing machines." Hence, claim 1 is believed to be allowable for this additional reason. Claim 5 includes a similar limitation and is believed to be allowable, at least for similar reasons.

Claim 1 includes the additional limitation "wherein each tray tag includes recipient information identifying processing requirements relating to the recipient of the mail items in the tray associated with the tray tag." Pintsov does not teach tray tags identifying requirements relating to the recipient of the mail items in the tray. The mail items in the trays taught by Pintsov are directed to different recipients as discussed above. Hence, claim 1 is believed to be allowable for this additional reason. Claims 5, 13, and 18 include a similar limitation and are believed to be allowable, at least the additional similar reasons.

Therefore, all independent claims include multiple limitations not taught by Pintsov and are believed to be allowable, at least for the reasons stated above. The remaining pending claims depend from one of the independent claims discussed above and are believed to be allowable as least for the reasons stated above. Additionally, independent claims 15 and 16 include limitations not taught by Pintsov. Claim 15 recites "wherein each mail item includes a remittance to the recipient." As discussed above, Pintsov teaches processing bulk mailings from a common mailer, not a common recipient, as the Applicants claim. And Pintsov mentions nothing about each mail item including a remittance to the many recipients taught by Pintsov. Hence, claim 15 is believed to be allowable for this additional reason.

Claim 16 recites "wherein the mail is processed by a processor for the recipient according to particular processing standards, and wherein the processor receives compensation from the recipient based on the processor's performance with respect to the standard, and wherein the tray tags include information that identifies the processing standards for the recipient relating to the tray." As discussed above, Pintsov teaches processing bulk mailings to a number

of recipients. Pintsov teaches nothing about a processor receiving compensation from a recipient based on the processor's performance to a standard, much less that the standard is identified on a tray tag. Hence, claim 16 is believed to be allowable for this additional reason.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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